




**SO ORDERED.**

**SIGNED this 12th day of April, 2013**

**THIS ORDER HAS BEEN ENTERED ON THE DOCKET.  
PLEASE SEE DOCKET FOR ENTRY DATE.**

  
Shelley D. Rucker  
UNITED STATES BANKRUPTCY JUDGE

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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TENNESSEE  
SOUTHERN DIVISION

In re:

CHAD M. FLEMING,

No. 10-10653  
Chapter 13

Debtor.

**ORDER**

The chapter 13 trustee filed a motion to dismiss the debtor's case, or in the alternative, to compel the debtor to turn over copies of his income tax returns or to remit refunds, if any, for tax years 2010 and 2011. At the hearing on the trustee's motion, it was announced that neither the copy nor the refund for 2010 had been provided to the trustee. The debtor did not

appear at the hearing. The court finds that the trustee's motion to compel payment or a copy of the 2010 return is well-taken and that the debtor shall be afforded additional time within which to comply with the trustee's request. Accordingly, and for the reasons stated orally on the record,

It is ORDERED that the trustee's motion is denied to the extent that it requests dismissal of the debtor's case at this time; and

It is further ORDERED that the trustee's motion to compel is granted; and

It is further ORDERED that the debtor has ten (10) days from the entry of this order within which to either submit a copy of his federal income tax return for 2010 to the chapter 13 trustee, or to remit refund(s), if any, for that tax year to the chapter 13 trustee in accordance with the terms of the confirmed plan in this case; and

It is further ORDERED that counsel for the debtor provide notice to the court of the debtor's compliance with this order. Upon the debtor's compliance with the order, the trustee's motion shall be restored to the court's docket for further hearing. Upon the debtor's failure to comply with this order, the case will be dismissed.

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